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September 8, 1999

RM-9884 /  
SEP 08 1999

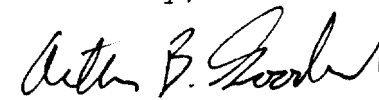
Ms. Magalie Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Dear Ms. Salas:

Transmitted herewith, on behalf of California Broadcasting, Inc., are an original and four copies of its "Petition for Rule Making to Modify DTV Channel Allotment for Television Station KRCR-DT, Redding, California."

In the event there are any questions concerning this matter, please contact the undersigned.

Sincerely,

  
Arthur B. Goodkind

Enclosure

Before The  
Federal Communications Commission  
Washington, D.C. 20554

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SEP 08 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the matter of:  
  
Modification of DTV  
Channel Allotment for  
Television Station KRCR-TV,  
Redding, California

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RM-9884

TO: Mass Media Bureau

PETITION FOR RULE MAKING TO MODIFY  
DTV CHANNEL ALLOTMENT FOR  
TELEVISION STATION KRCR-DT, REDDING, CALIFORNIA

California Broadcasting, Inc. ("KRCR"), licensee of television station KRCR-TV, Redding, California, by its attorneys, hereby requests that the Commission initiate proceedings to amend Section 73.622 of its Rules and Appendix B to its Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Reports and Orders in MM Docket No. 87-268 to substitute Channel 34 for Channel 14 as the DTV transition channel to be paired with television station KRCR-TV. The operating parameters for KRCR-DT on Channel 34 are proposed to be the same as those specified by the Commission for operation on Channel 14.

As explained in the attached Engineering Statement of Jules Cohen, P.E. (Attachment A hereto), the transmitter site of KRCR-TV (the site also to be used for KRCR-DT) is shared with numerous land mobile operations, some of which operate on the frequency

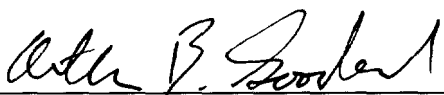
band just below channel 14. As further explained in the Engineering Statement, operation of KRCR-DT on Channel 14 is likely to cause serious interference to such land mobile operations. Mr. Cohen's Engineering Statement demonstrates that these potential problems can be avoided by substituting Channel 34 for Channel 14, which may be done without causing unacceptable interference to any other existing or proposed full service television station. Finally, the Engineering Statement demonstrates that a Channel 34 allotment would enable KRCR-DT to comply fully with the principal city coverage requirements of Section 73.625(a) of the Rules.

Accordingly, KRCR requests that the Commission initiate proceedings to amend Section 73.622(b) of the Rules as set forth in this petition.<sup>1</sup>

Respectfully submitted,

CALIFORNIA BROADCASTING, INC.

By:

  
Arthur B. Goodkind  
Koteen & Naftalin, L.L.P.  
1150 Connecticut Avenue, N.W.  
Suite 1000  
Washington, DC 20036

(202) 467-5700

September 8, 1999

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<sup>1</sup>Pursuant to Section 1.401(e) of the Rules, a draft "Notice of Proposed Rule Making" is Attachment B hereto.

**ENGINEERING STATEMENT  
PREPARED ON BEHALF OF CALIFORNIA BROADCASTING, INC.  
KRCR-DT, REDDING, CALIFORNIA**

The engineering exhibit of which this statement is part was prepared on behalf of California Broadcasting, Inc. in support of a petition to change the digital channel assignment of KRCR-DT, Redding, California, from 14 to 34. The transmitter site of KRCR-TV, which will be the site also of KRCR-DT shares the site with numerous land mobile operations, some of which operate on the frequency band just below channel 14. Experience shows that a high power television station operating in close proximity to adjacent channel land mobile receivers requires Herculean efforts to avoid interference to land mobile reception. Land mobile operators, understandably, are reluctant to employ filters because of the unavoidable loss of receiver sensitivity, and filters at the television transmitter sufficient to eliminate interference to the land mobile receivers are complex, expensive, and difficult to construct. To avoid the problem of interference, the use of channel 34 is proposed in lieu of 14. As will be shown below, channel 34 can be used at the KRCR-TV site without causing unacceptable interference to any other existing or proposed full service television station.

As proposed herein, the operating parameters of KRCR-DT on channel 34 are the same as the FCC had specified for operation on channel 14. Although the radiation center above mean sea level remains unchanged, a new determination of height above average terrain employing a three-arc-second terrain data base shows the height above average terrain, based on the standard eight radials at 45-degree intervals, to be 1106 meters rather than the 1103 meters previously calculated.

**Jules Cohen, P.E.**  
*consulting Engineer*

Engineering Statement  
KRCR-DT, Redding, California

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Studies made in accordance with the requirements of Section 73.623(c) of the Commission rules demonstrate that the proposal satisfies the coverage and allocation criteria of the rules. Calculated coverage, as depicted in Figure 1, employing channel 34 with nondirectional effective radiated power of 166.2 kilowatts and radiation center of 1925 meters above mean sea level show Redding, the city of license, to be well within the noise-limited 41 dB $\mu$ , f(50,90) contour thus demonstrating compliance with the principal community coverage requirement of Section 73.625(a). Figure 2 is a tabulation of calculated terrain elevation data and distances to the noise-limited contour as shown in Figure 1.

A computer using an Alpha processor was employed in conjunction with the FCC's FLR software to perform allotment studies taking into account both NTSC and DTV allocation factors. Results of the studies are shown in Figure 3. For each station, information from Appendix B of the Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders in MM Docket No. 87-268 is listed in Figure 3 for comparison with the results obtained independently. Using the Alpha processor and the FCC's FLR software. Good agreement is found between the two calculations. Although pending applications have not been included in the tabulation, they were considered. In the few instances where applications have been filed for digital facilities, the applications were compared to the assigned parameters. In no instance were the

*Jules Cohen, P.E.*  
*consulting Engineer*

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Engineering Statement  
KRCR-DT, Redding, California

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assigned parameters exceeded; therefore, assigned parameters were used for all digital operations potentially affected.

The interference analyses of potentially affected stations with KRCR-DT operating on channel 34 were compared with a similar analysis absent the requested change. The only difference in interference conditions found was for the digital operation of KPST-DT at Vallejo, California, on channel 34. In that instance, additional interference from the proposed co-channel operation at Redding increased the population subject to interference from 162,641 to 164,436. Referenced to noise-limited population served not affected by terrain losses, this added interference is 0.03 percent. When total interference is expressed to two significant figures, the total interference to KPST-DT remains at 3.1 percent.

Two applications are pending for use of NTSC channel 32 at Weaverville, California. Neither operation, if initiated, would suffer any interference from the use of channel 34 by KRCR-DT. Northern California Public Television holds a construction permit for a new NTSC station to operate on channel 20 at Yreka City, California. No interference would be caused to that facility when constructed.

***Jules Cohen, P.E.***  
*consulting Engineer*

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Engineering Statement  
KRCR-DT, Redding, California

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On channel 34, KRCR-DT is calculated to include 323,487 persons within the noise-limited contour not affected by terrain losses. Of that number, none would suffer from NTSC interference, and 65 are calculated to receive interference from other digital assignments. The percent match of ATV/NTSC service is 99.1 percent.

A review has been made of low power television facilities likely to be displaced by use of channel 34 by KRCR-DT. The only low power station expected to be displaced is K34DF at Redding. That effect is similar to what is expected to occur if KRCR-DT were to operate on channel 14. The co-channel low power station K14HX at Lakehead, California, would be expected to receive unacceptable interference.

The conclusion of the study is that channel 34 is a suitable replacement for channel 14 at Redding and will avoid the problem of interference to the land mobile operations at the shared transmitter site.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on August 24, 1999.

A handwritten signature in black ink, appearing to read "Jules Cohen", with a stylized, cursive script.

Jules Cohen, P.E.

Figure 1

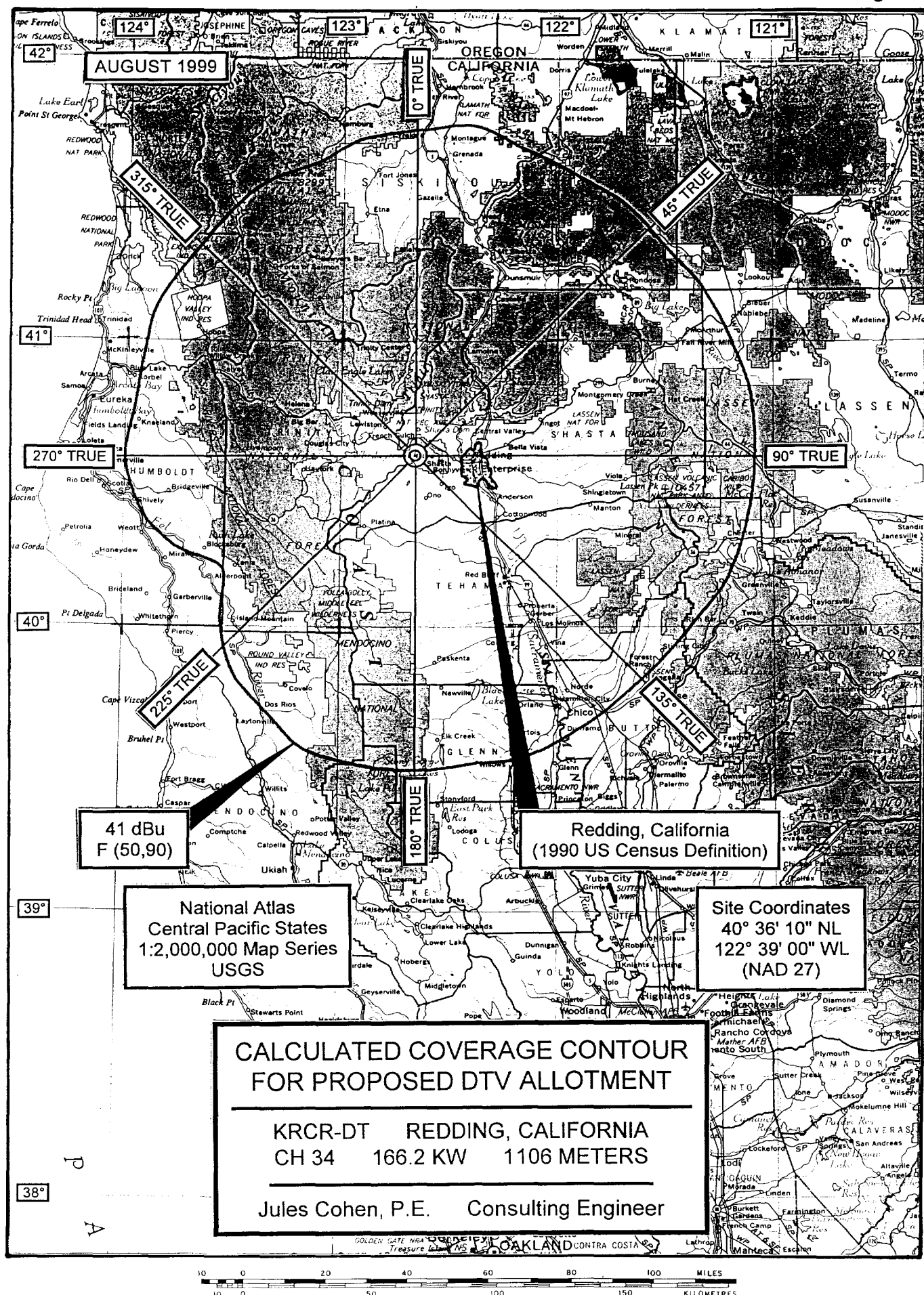




Figure 2

Tabulation of Average Elevations and Distances  
to the DTV Coverage Contour

Proposed KRCR-DT, Redding, California

Ch. 34, 166.2 kW, 1106 meters

Site Coordinates: 40° 36' 10" North Latitude, 122° 39' 00" West Longitude

<u>Azimuth</u> (Deg. T)	<u>3.2-16.1 km</u> <u>Terrain Average</u> (mAMSL)	<u>Radiation Center</u> <u>Above</u> <u>Terrain Average</u> (meters)	<u>Distance to</u> <u>41 dBμ, f(50,90) DTV</u> <u>Coverage Contour</u> (km)
0	672	1253	125.7
45	674	1251	125.7
90	454	1471	132.6
135	691	1234	125.1
180	773	1152	122.6
225	1271	654	106.5
270	1068	857	114.4
315	947	978	117.8
	—	—	
Average	819	1106	

NTSC and DTV Allocations Studies for Proposed KRCR-DT Allotment

Ch. 34, 116.2 kW, 1106 meters

NAD 1927 Site Coordinates: 40° 36' 10" North Latitude  
122° 39' 00" West Longitude

Antenna Radiation Center 1925 mAMSL

A: NTSC Allocation Study

Channel Relation- Ship <sup>1</sup>	Potentially Affected Desired NTSC Station	<u>Appendix B Data</u>		<u>Independent Calculations</u>						
		<u>Current Service Population</u> (thous.)	<u>DTV Inter- ference</u> (%)	<u>Current Service Population</u> (thous.)	<u>Grade B Pop.<sup>2</sup></u> (thous.)	<u>Alloted DTV Interference</u> (thous) (%)		<u>New Interf. from Prop.. KRCR-DT</u> (thous.) (%)		<u>Cumulative Interference</u> (%)
n-0	KLSR-TV, Eugene, OR Ch. 34, 3098 kW, 259 m	379	0.0	374	375	0.0	0.0	0.0	0.0	.0.0
n-1	* <sup>3</sup>									
n-2	KMPT-TV, San Francisco, CA Ch. 32, 1320 kW, 441 m	4849	1.5	4840	4994	85	1.7	0.0	0.0	1.7
n-3	KMAX, Sacramento, CA Ch. 31, 5000 kW, 558 m	3554	0.1	3522	3641	4.5	0.1	0.0	0.0	0.1

<sup>1</sup> n = desired NTSC stations's channel.

<sup>2</sup> Terrain-limited within the station's Grade B contour.

<sup>3</sup> No station sufficiently close for concern.

Channel Relation- Ship <sup>4</sup>	Potentially Affected Desired NTSC Station	Appendix B Data		Independent Calculations						
		Current Service Population (thous.)	DTV Inter- ference (%)	Current Service Population (thous.)	Grade B Pop. <sup>5</sup> (thous.)	Alloted DTV Interference (thous) (%)		New Interf. from Prop.. KRCR-DT (thous.) (%)		Cumulative Interference (%)
n-3	KDKF, Klamath Falls, Or Ch 31, 6.03 kW, 691 m	54	0.0	54	55	0.0	0.0	0.0	0.0	0.0
n-4	KCVU, Paradise, CA Ch 30, 2510 kW, 440 m	364	1.2	361	361	7	1.9	0.0	0.0	1.9
n-5	*									
n-7	KREN-TV, Reno, NV Ch 27, 1820 kW, 891 m	387	4.7	373	373	21	5.6	0.0	0.0	5.6
n-8	KMVV, Medford, OR Ch 26, 110 kW, 428 m	151	0.0	145	145	0.0	0.0	0.0	0.0	0.0
n+1	*									
n+2	KTVC, Roseburg, OR Ch 36, 42.7 kW, 211 m	62	0.0	60	60	0.0	0.0	0.0	0.0	0.0
n+3	No TV allotments									
n+4	KCNI, San Francisco, CA Ch 38, 5000 kW, 440 m	4781	0.1	4787	5063	15	0.3	0.0	0.0	0.3
n+5	*									

<sup>4</sup> n = desired NTSC stations's channel.

<sup>5</sup> Terrain-limited within the station's Grade B contour.

Channel Relation- Ship	Potentially Affected Desired NTSC Station	Appendix B Data		Independent Calculations						
		Current Service Population (thous.)	DTV Inter- ference (%)	Current Service Population (thous.)	Grade B Pop. (thous.)	Alloted DTV Interference (thous) (%)		New Interf. from Prop.. KRCR-DT (thous.) (%)		Cumulative Interference (%)
n+7	*									
n+8	KTNC-TV, Concord, CA Ch. 42, 1280 kW, 856 m	6208	3.0	6137	6231	1722	2.8	0.0	0.0	2.8
n+14	*									
n+15	*									

#### B. DTV Allocation Study

Channel Relation- Ship	Potentially Affected Desired DTV Station	Appendix B Data		Independent Calculations						
		Baseline Population (thous.)	DTV Service (thous.)	Current Service Population (thous.)	Noise Limited Pop. (thous.)	Alloted DTV Interference (thous) (%)		New Interf. from Prop.. KRCR-DT (thous.) (%)		Cumulative DTV Interference (%)
n-0	Allotment, Reno, NV Ch. 34, 1000 kW, 133 m	393	331	330	422	0.0	0.0	0.0	0.0	0.0
	KPST-TV, Vallejo, CA Ch 34, 63.9 kW, 466 m	3741	5161	5238	5301	163	3.1	2.0	0.03	3.1
n-1	Allotment, San Francisco, CA Ch. 33, 50 kW, 491 m	4849	5280	5295	5848	0.0	0.0	0.0	0.0	0.0
	Allotment, Klamath Falls, OR Ch. 33, 50 kW, 656m	55	56	56	56	0.0	0.0	0.0	0.0	0.0
n+1	Allotment, Medford, OR Ch. 3, 309.7 kW, 1009 m	277	276	262	330	0.0	0.0	0.0	0.0	0.0

In the Matter of )  
 )  
Amendment of Section 73.622(b), ) MM Docket No. RM  
Table of Allotments, Digital )  
Television Broadcast Stations )  
(Redding, California) )

3. In order to avoid this problem, Petitioner requests that the Commission initiate proceedings to substitute Channel 34 for Channel 14 as its transitional channel. Petitioner has submitted

engineering materials demonstrating that the proposed substitution would be consistent with the requirements of Section 73.623 of the Rules in that (1) the principal city coverage requirements of Section 73.625(a) of the Rules would be met and (2) no NTSC or DTV station would receive interference from a KRCR-DT Channel 34 operation in excess of the de minimis standard established in Section 73.623(c)(2) of the Rules.

4. We believe that Petitioner's proposal warrants consideration since it would avoid serious potential interference with land mobile operations and because the proposal complies with the criteria set forth in Section 73.623 of the Rules. We therefore propose to modify Section 73.622(b) as requested by Petitioner.

5. Accordingly, we seek comments on the proposed amendment of the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, as set forth below for the listed community:

A.

<u>City</u>	<u>Present Channel No.</u>	<u>Proposed Channel No.</u>
Redding, California	14, *18	*18, 34

The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein. In particular, we note that a showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be allotted.

Interested parties may file comments on or before \_\_\_\_\_, and reply comments on or before \_\_\_\_\_, and are advised to read the Appendix for the proper procedures. Comments should be filed with the Secretary, Federal Communications Commission, Washington, D.C. 20554. Additionally, a copy of such comments should be served on the petitioner, or its counsel or consultant, as follows:

Arthur B. Goodkind  
Koteen & Naftalin, L.L.P.  
1150 Connecticut Avenue, N.W.  
Suite 1000  
Washington, DC 20036  
(202) 467-5700

The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the TV Table of Allotments, Section 73.606(b) of the Commission's Rules. See Certification That

Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend Sections 73.202(b), 73.504 and 73.606(b) of the Commission's Rules, 46 FR 11549, February 9, 1981. The Regulatory Flexibility Act of 1980 would also not apply to rule making proceedings to amend the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules.

For further information concerning this proceeding, contact \_\_\_\_\_, Mass Media Bureau, (202) 418-1600. For purposes of this restricted notice and comment rule making proceeding, members of the public are advised that no ex parte presentations are permitted from the time the Commission adopts a Notice of Proposed Rule Making until the proceeding has been decided and such decision is no longer subject to reconsideration by the Commission or review by any court. An ex parte presentation is not prohibited if specifically requested by the Commission or staff for the clarification or adduction of evidence or resolution of issues in the proceeding. However, any new written information elicited from such a request or a summary of any new oral information shall be served by the person making the presentation upon the other parties to the proceeding unless the Commission specifically waives this service requirement. Any comment which has not been served on the petitioner constitutes an ex parte presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes an ex parte presentation and shall not be considered in the proceeding.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Services Division  
Mass Media Bureau

Attachment: Appendix

## APPENDIX

1. Pursuant to authority found in Sections 4(i), 5(c)(1), 303(g) and (r), and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS PROPOSED TO AMEND the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules and Regulations, as set forth in the Notice of Proposed Rule Making to which this Appendix is attached.

2. Showings Required. Comments are invited on the proposal(s) discussed in the Notice of Proposed Rule Making to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed allotment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is allotted and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. Cut-off protection. The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See Section 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposals in this Notice, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to allot a different channel than was requested for any of the communities involved.

4. Comments and Reply Comments; Service. Pursuant to applicable procedures set out in Sections 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the Notice of Proposed Rule Making to which this Appendix is attached. All submissions by parties to this proceeding or by persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s)



who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See Section 1.420(a), (b) and (c) of the Commission's Rules.) Comments should be filed with the Secretary, Federal Communications Commission, Washington, D.C. 20554.

5. Number of Copies. In accordance with the provisions of Section 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. Public Inspection of Filings. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Reference Center (Room CY-A257) at its headquarters, 445 12th Street, SW, Washington, D.C.